

Remarks, Comments and Arguments:

Comments to the Amended Specification:

There were five (5) instances where the original specification noted the term “database 21” or “existing database 21” but where Fig. 2 noted item 21 as “Original Databases”. The specification was amended five (5) times to change “database 21” and “existing database 21” to existing or original database 21” in order to make the specification consistent with the figures.

There were five (5) instances in the original specification noted the term “primary strategic objective 27” or “primary strategic objective measure 27” whereas Fig. 3 noted item 27 as “Primary Strategic Objective and/or goal”. The specification was amended by five times to change “ primary strategic objective 27” or “primary strategic objective measure 27” to “primary strategic objective measure and/or goal” in order to make the specification consistent with the drawings.

Comments to the Claim Amendments:

Claims 34 through 44 were cancelled.

Claim 12 was modified to include the term “Management Information Systems” when referring to MIS.

The wording of claims 1 through 33 were amended to be consistent with the specification and the drawings. Throughout the claims, the term “the said” was replaced with “said”.

As per claim 1, the examiner stated that the limitation “compare the first expected results with said second expected results to determine if the said modifications to the said modifications to the said interactive database caused an improvement, a deterioration or was impact neutral” however the claim continues with “to said strategic objective goal”. Therefore, once a strategic objective goal is defined, such as reducing lead-times as given in the specification or any other strategic goal, and comparing the first expected results to the second expected results, it would be obvious to anyone skilled in the art to know if the modifications resulting in the second expected results was an improvement, a deterioration, or was impact neutral to the strategic objective. For example, if lead-times increased due to the modifications, the second expected results would indicate increased lead-times, and therefore be a deterioration to the strategic goal of reducing lead-times. If the strategic objective goal was to increase the shipping of goods and the modifications and second expected results indicated an increase to the shipment of goods over the first expected results, then the proposed modifications were an improvement to the strategic objective.

Claims 12 and 14

As to claim 3 and determining how to set the allowable range, claim 3 has been modified to allow the user to set the range based upon the user’s or entity’s choice.

Comments to Claim Rejections Based Upon 35 USC § 101:

As noted above, the examiner relied upon *Bilski* to reject claims 1 and 3 which in before the U.S Supreme Court and oral arguments have been heard. Applicant would propose a delay in the response to this amendment to determine what the result of *Bilski* will be.

Claims 23 through 33 have been modified in the preamble as the examiner recommended.

The examiner also rejected claim 23 as not having a practical “result” that is “useful, concrete and tangible”, that is “repeatable or predictable” and that a “tangible result is one that is real or real world as opposed as to abstract”. Applicant believes that the determination of whether or not a proposed modification to a preset database of work that determines whether or not the proposed modifications will or will not support an entity’s strategic objective is real, concrete and useful. It would allow an entity to determine before implementation of a modification to a work database whether or not the proposed modification is aiding the entity in achieving its strategic goal or not. If it is aiding the entity in its achieving its strategic objective goal, then the original or existing database is over-written to allow the proposed modification to occur, thereby benefiting the entity’s strategic objective goal. If the proposed modifications do not aid the entity in achieving its strategic objective goal, then the proposed modification is not allowed to over-write the original or existing database, thereby preventing the proposed modification from causing a deterioration to the entity’s strategic objective goal.

Given a specified original or existing database and a specified strategic objective measure and/or goal and a proposed modification, the result will be the same every time the first and second expected results are run in the MIS, therefore the result is concrete, repeatable and useful for the specified parameters of a given entity.

Comments to Claim Rejections Based On 35 USC § 103:

Claim 1:

Ouimet teaches in Para. 0093 – 0096, 0129 – 0145 and Figure 12 “Next the system defines a set of scenarios, i.e. projected values for the Strategic Objective that the user would like to achieve. For each scenario defined, a set of operational decisions are provided that maximize the Primary Goal while simultaneously satisfying the Strategic Objective.” The present invention does not have a system defining a set of scenarios, rather the users input some changes to the existing database in an interactive database in order to predict how the changes will impact the elected strategic objective measure. And in Para. 0141 “Eff is optimized with respect to all of the independent variable.” And in Para. 0142 “The resulting constraint value is the one that most closely matches the target constraint value.” Thus, Ouimet provides a means to optimize a strategic objective and target value. The present invention does not seek to optimize any target value or strategic objective, but rather seeks to determine how a proposed change to the original work data will impact on an existing strategic objective goal.

Pothos, Para. 0137, teaches a “The Gantt chart display can provide a display of both the original schedule and the schedule produced by the what-if session and so by displaying them side by side, a comparison of the changes can easily be seen. Thus Pothos can see what the changes were, but can not determine from those changes what the impact would be on the strategic objective measure or goal of the present invention and claims.

Ouimet further teaches in Para. 0027 to “calculate a large number of scenarios and presents them in graphic form so that the optimum decision envelope can be visualized for the selected primary objective(s). Thus, Ouimet is creating an “optimum decision envelope” for the user. The present invention does not seek to find or determine an optimum decision envelop, but rather determine how a proposed change to the existing work would impact the chosen strategic objective measure.

In Para. 0071 of Ouimet, it teaches that the “best result is obtained by allowing a user to select several optimization methods and to compare the results” The present invention is not attempting to optimize or achieve the “best results” or use several optimization methods.

Nor does Ouimet, Pothos, Boonkun or Huang teach the use of four databases in the present invention’s means to determine what the impact of a proposed modification to an original data base would have on a strategic objective goal, without changing the original database, new database and

interactive database if the proposed changes were detrimental to the strategic objective goal of the present invention.

Claims 12 and 23:

As with to claim 1, claims 12 and 23 also include the use of four databases, the original or existing database, the new database, the interactive database and the modified database. The new database being similar to the original database, except that all of the work in the new database is assumed completed such that the impact of completing the work in the original database can be determined by running the MIS to determine the first expected result to the strategic objective goals. Attempting to do this analysis with the original database would render the original database useless to operate on as all off the work would be deemed completed. In order to determine how a proposed change to the original database would impact a strategic objective goal or measure, the present invention creates an interactive database, which is identical to the original database, to which a user can input a proposed change. That change is then put into the interactive modified database which then assumes that all of the work, including the changed work, is completed. This interactive modified data base is then used to determine the second expected result to the changed database on the strategic objective goal or measure. The comparison of the two results would then give a specific and finite answer as to the impact the changes would have on the strategic goal or measure, unlike examiners reference. As with the original and new databases, this process requires the use of the interactive database, where the database work is not presumed

completed and an interactive modified database that does presume the work is completed. If the interactive database was presumed completed, only one time could a change be made and the second expected result determined. The database would be closed to further proposed changes. Thus the need for the fourth database, the interactive modified database that allows a user to make a change to the interactive database, then save the changes to the interactive modified database and determine the second expected result over a great many proposed changes.

Comments on Claims 3, 14 and 25:

Ouimet teaches in Para. 0033 that “The effective objective function can be optimized through a range of values of the weighing factor, with the results stored in a table. This computed table essentially provides a relationship between different optimized values of the primary objective”. As such, Ouimet’s ranges on the weighing factor are a means to compare the different optimized values of the strategic objective in order to determine an optimal envelope for the strategic objective. He is optimizing the strategic objective with weighing factors for the strategic objective. They are not ranges on the strategic objective, nor the tradeoff values.

Claim Comment Summary:

Ouimet’s patent application is on using a method in order to optimize a planning model using historical sales data to predict optimal pricing. Ouimet does not attempt to determine what a proposed action has on a strategic.

Pothos looks a means for handling unscheduled tasks in a scheduled environment where a user can input the unscheduled tasks and compare the result to the scheduled tasks.

Neither looks to determine what impact a proposed action to a work database would have on an entity's strategic objective in and of itself through the use of four databases intended to provide for interactive use of the databases without corrupting the original database.

Respectfully Submitted,

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